

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ZURICH AMERICAN INSURANCE COMPANY,

Plaintiff,

-against-

MAXJET AIRWAYS, INC.,

Defendant.

LORETTA A. PRESKA  
U. S. DISTRICT JUDGE  
07 Civ. 8772 (MAP)

**VOLUNTARY DISMISSAL  
AND ORDER**

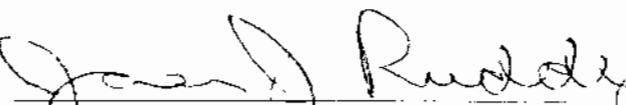
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No answer having been filed and the captioned action having been settled, it is hereby discontinued as to all parties pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure with prejudice but without costs as to any party, subject to re-opening by letter application in the event that the settlement is not consummated within thirty (30) days of entry hereof.

Dated: New York, New York  
November 19, 2007

McDERMOTT & RADZIK, LLP.  
Attorneys for Plaintiff

By:

  
James J. Ruddy (JR-6693)  
88 Pine Street  
New York, New York 10005  
212-376-6400  
Ref.: 10-07-2015 JJR

**SO ORDERED:**

-----X  
U.S.D.J.

The Clerk of the Court Shall  
mark this action closed and all  
pending motions denied as moot.

SO ORDERED:

  
LORETTA A. PRESKA, U.S.D.J.

*November 26, 2007*